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DENNIS FUGNETTI PHOTOGRAPHY TRUST

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

DENNIS FUGNETTI PHOTOGRAPHY
TRUST,

Plaintiff-Appellee-Cross-Appellant,

and

DENNIS FUGNETTI, Katie Fugnetti
trustee of the Dennis Fugnetti
Photography Trust

Plaintiff

v.

BIRD B GONE, LLC,

Defendant-Appellant-Cross-Appellee,

and

DOES, 1-10, inclusive,

Defendant

Nos. 23-55048
23-55092

D.C. No. 8:19-cv-00847-SK
U.S. District Court for Central
California, Santa Ana

**JOINT STIPULATED MOTION
TO VOLUNTARILY DISMISS
CROSS-APPEALS**

Pursuant to Federal Rule of Appellate Procedure 42(b), Appellant and Cross-Appellee Bird B Gone, Inc. f/k/a Bird B Gone, LLC and Appellee and Cross-Appellant Dennis Fugnetti Photography Trust (collectively, the “Parties”) hereby move this Court for an order dismissing the above captioned appeals.

The Parties have agreed to terms to fully and finally resolve their cross-appeals and the underlying action in the district court. FED. R. APP. P. 42(b)(2). The Parties have agreed that each side shall bear its costs and fees on appeal.

Respectfully submitted,

Dated: March 28, 2023

THOITS LAW

By: /s/John van Loben Sels

John van Loben Sels
Attorneys for Appellant and Cross-Appellee,
BIRD B GONE, INC.

By: /s/Ryan E. Carreon

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